REMARKS

I.   Response to Rejections Under 35 USC §112

At page 2, items 2-3 of the Office Action, claim 3 is rejected under 35 USC §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention. Specifically, the Examiner cites the limitation of "the overlayed options" as lacking proper antecedent basis. In response to the Examiner's rejection, the applicants have amended claim 3 in accordance with the Examiner's suggestion.

II.   Response to Rejections Under 35 USC §102

At page 3, item 5 of the Office Action, claims 1, 2, 5-8, 11, and 13-28 are rejected under 35 USC §102(e) as being anticipated by Smith et al. (US Patent No. 6,053,669, hereinafter referred to as '669). However, '669 does not disclose a method for ordering consumer items wherein "updating the consumer items with the selected options occurs in real-time as the options are selected", as recited in amended independent claim 1. Nor does '669 include a device or a system that allows updating in "real-time", as recited in independent claims 13 and 20.

In '669, a graphical user interface supporting a method and system for remote order generation of furniture products is disclosed. In '669, the interface includes interface objects for obtaining configuration criteria from a user; presenting the user with at least one typical configuration satisfying the criteria, and so forth. '669 includes a series of interface displays (Figures 5-15) that allow the user to select components "and position the components on the typical configuration" (column 10, lines 49-50). At lines 49-58, '669 continues with:

"The order generation system 114 will allow the user
to position the component at an invalid location, since it is
assumed that the entire configuration will be checked, and
possibly adjusted, *later* [italics added]. Thus, for example,
the user is able to put a shelf on a panel that cannot
support the shelf. This is acceptable since *later* [italics
added] the system will be reconfigured to replace the panel
with one which can support the shelf. Alternatively, if no
supporting panel is available in the product line, the shelf
will not be added."

Thus, in '669 the configuration is not updated in "real-time" as recited in
amended independent claims 1, 13, and 20. Rather, the configuration is
updated at a *later* time, such as by selecting configuration icon 150, as shown
in Figures 5-15 of '669, to cause the order generation system to invoke the
checker module (as in column 10, lines 60-65). *The applicants assert that the
requirement of the user to select the configuration icon in order to update the
configuration at a later time is not indicative of a "real-time" update as recited
in the applicants' claims.*

Thus, '669 does not disclose a method for ordering consumer items
wherein "updating the consumer items with the selected options occurs in
real-time as the options are selected", as recited in amended independent
claim 1. Nor does '669 include a device or a system allows updating in "real-
time", as recited in independent claims 13 and 20.

Accordingly, the Applicants respectfully request that the Examiner
withdraw the rejections under 35 USC §102.

III.   Response to Rejections Under 35 USC §103

At page 3, item 8 of the Office Action, claims 3, 4, 9, 10, and 12 are rejected under 35 USC §103(a) as being unpatentable over '669 (Smith, as previously mentioned herein). However, '669 teaches away from a method for ordering consumer items wherein "updating the consumer items with the selected options occurs in real-time as the options are selected", as recited in amended independent claim 1. '669 also teaches away from a device and a system allows updating in "real-time", as recited in independent claims 13 and 20, respectively.

In '669, as previously mentioned herein, a graphical user interface supporting a method and system for remote order generation of furniture products is disclosed. In '669, the interface includes interface objects for obtaining configuration criteria from a user; presenting the user with at least one typical configuration satisfying the criteria, and so forth. '669 includes a series of interface displays (Figures 5-15) that allow the user to select components "and position the components on the typical configuration" (column 10, lines 49-50). At lines 49-58, '669 continues with:

> "The order generation system 114 will allow the user
> to position the component at an invalid location, since it is
> assumed that the entire configuration will be checked, and
> possibly adjusted, **later** [boldface added]. Thus, for
> example, the user is able to put a shelf on a panel that
> cannot support the shelf. This is acceptable since **later**
> [boldface added] the system will be reconfigured to replace
> the panel with one which can support the shelf.
> Alternatively, if no supporting panel is available in the
> product line, the shelf will not be added."

Thus, in '669 the configuration is not updated in "real-time", as is recited in amended independent claims 1, 13, and 20. Rather, teaches that the configuration is updated at a *later* time, such as by selecting configuration icon 150 as shown in Figures 5-15 of '669 to cause the order generation system to invoke the checker module. *The applicants assert that the requirement of the user to select the configuration icon in order to later update the configuration teaches away from the "real-time" update as recited in the applicants' claims.*

Thus, as '669 teaches away from the "real-time" aspect of the applicants' claimed invention by requiring the user to select the configuration icon at a later time, '669 cannot be combined with knowledge available to those of ordinary skill in the art to produce the "real-time" update of amended independent claims 1, 13, and 20.

Accordingly, the Applicants respectfully request that the Examiner withdraw this rejection under 35 USC §103(a).

As the Applicants believe that all rejections to the claims have been overcome, the Applicants request that the Examiner pass this application onto allowance.

IV.   Additional Fees

If any additional fee is required in connection with the filing of this Amendment, please charge the fee to Deposit Account No. 08-2025.

Respectfully Submitted,
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